

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant thanks the Examiner for the courtesies extended to Applicant's representative during the personal interview conducted with the examiner on August 16, 2007.

During the interview, the Examiner and Applicant's representative discussed at great length the objection to the drawings, the Double Patenting rejection; the 35 U.S.C. § 102(e) rejection and the 35 U.S.C. § 103(a) rejection.

With respect to the objection to the drawings (and the related 35 U.S.C. § 112 rejection), the Examiner agreed that amending claim 3 to change the term "annular" to "arc shape" would overcome the objection to the drawings and the § 112 rejection.

With respect to the Double Patenting rejection, Applicant submitted that the claimed subject matter in the instant application is patentably distinct from the subject matter in the commonly owned patents. However, the Examiner maintained his position and asserted that the claimed subject matter is an obvious variation over the claims of Takahashi and the teachings of Ishikawa. However, the Examiner recommended amending the independent claims to include the feature "wherein the tapered wall is radially aligned with the gear teeth". The Examiner stated that this amendment should be enough to overcome the Double Patenting rejection.

With respect to the prior art rejections, the Examiner firmly maintained his position as outlined in the Office Action dated April 19, 2007, but suggested that amending the independent claims to recite the feature "wherein the tapered wall is continuously inclined from an end of the gear teeth to the peripheral surface side of the reel hub" may be enough to overcome the prior art rejections

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has amended claims 1, 3, 8, 11, and 14. Upon entry of this Amendment, claims 1-6, 8 and 11-16 are all the claims pending in the application. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter.

I. Overview of the Office Action

Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-6, 8, and 11-16 are rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over Takahashi et al. (U.S. Patent No. 6,462,905, hereafter “Takahashi”) in view of newly cited Ishikawa et al. (PCT Publication No. WO 01/04902, U.S. Patent No. 6,896,217, hereafter “Ishikawa”). Claims 1-6, 8, and 11-16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Takahashi. Claims 1-6, 8, and 11-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over newly cited Ishikawa in view of newly cited Laverriere (European Patent Application No. 0 284 687).

II. Preliminary Matters

Objection to the Drawings

The Examiner again alleges that the taper wall formed in an annular form as recited in claim 3 is not shown in the drawings. By this Amendment, Applicant has amended claim 3 in order to improve clarity. Accordingly, the Examiner is respectfully requested to remove the objection to the Drawings..

III. Rejection under 35 U.S.C. § 112, second paragraph

The Examiner alleges that claim 3 is indefinite because “the term ‘annular’ appears to be inaccurate to describe the shape of a taper wall shown in Fig. 9.” By this Amendment, Applicant has amended claim 3 in order to improve clarity. Accordingly, the Examiner is respectfully requested to remove the § 112 rejection.

IV. Double Patenting Rejections

The Examiner has rejected claims 1-6, 8, and 11-16 on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over Takahashi in view of Ishikawa. Applicant respectfully disagrees with the Examiner’s position.

In determining whether a non-statutory basis for a double patenting rejection exists, the Examiner should determine whether any claim in the application defines an invention that is either anticipated by, or is an obvious variation of an invention claimed in the allegedly conflicting patent.

In the instant case, Applicant respectfully submits that the obviousness-type non-statutory double patenting rejection is clearly inappropriate because the Examiner has not provided any discussion to support the assertion that the claims of Takahashi as modified by Ishikawa conflict with the claims of the instant application.

Further, there is no disclosure in the claims of Takahashi or the disclosure of Ishikawa of at least the following features recited in independent claim 1 and analogously recited in independent claims 11 and 14:

a taper wall standing erect at the floor portion along a circumference which has a greater diameter than an outer diameter of the braking member and which is substantially coaxial with the reel hub,

wherein the braking member is supported at the case so as to be unable to rotate, and

accompanying operation of inserting the braking member in the reel hub, the taper wall guides the braking member to the meshing position at which the braking gear meshes with the gear teeth; and

a plurality of projections at the floor portion of the reel hub, and the gear teeth are provided at distal ends of the plurality of projections,

wherein the taper wall is provided integrally with the plurality of projections at an inner peripheral surface side of the reel hub.

Nevertheless, in order to expedite prosecution, and as suggested by the Examiner during the above noted personal interview, Applicant has amended independent claims 1, 11, and 14 to require that the tapered wall is radially aligned with the gear teeth. This feature of the claims is neither taught nor suggested by Takahashi or Ishikawa. Accordingly, the Examiner is respectfully requested to remove the Double Patenting rejection.

V. Rejections under 35 U.S.C. § 102(e)

The Examiner alleges that Takahashi discloses all of the features of independent claims 1, 11, and 16. Applicant respectfully disagrees with the Examiner's position.

With respect to independent claim 1, there is no teaching or suggestion in Takahashi of "a taper wall standing erect at the floor portion along a circumference which has a greater diameter than an outer diameter of the braking member and which is substantially coaxial with the reel hub" as recited in the claim.

The Examiner appears to read the claimed taper wall on the guide members 39 of Takahashi. However, Takahashi clearly discloses that the guide members have an inclined surface which gradually inclines downward from the upper portion of the inner surface of the reel hub 21 (column 6, lines 34-40). Accordingly, there is no disclosure in Takahashi of a taper wall that stands erect at a floor portion as claimed.

Further, there is no teaching or suggestion in Takahashi of (nor does the Examiner even address or provide specific support in the body of the rejection for) the feature “a plurality of projections at the floor portion of the reel hub, and the gear teeth are provided at distal ends of the plurality of projections, wherein the taper wall is provided integrally with the plurality of projections at an inner peripheral surface side of the reel hub”, as recited in independent claim 1 and analogously recited in independent claims 11 and 14.

Takahashi clearly discloses that guide portions 39 are “provided between each pair of engagement projections 27”¹. Accordingly, the guide portions 39 are not integral with the projections 27. In other words, engagement projections 27 are not a part of, or do not belong to the body of guide portions 39 as a part of the “whole” of guide portions 39; and thus are not integral with guide portions 39.

Nevertheless, in order to expedite prosecution, and as suggested by the Examiner during the above noted personal interview, Applicant has amended independent claims 1, 11, and 14 to recite the feature “wherein the tapered wall is continuously inclined from an end of the gear teeth to the peripheral surface side of the reel hub”. Applicant respectfully submits that this feature of the claims is neither taught nor suggested by the cited reference.

¹ Column 6, lines 30-32.

Accordingly, Applicant respectfully submits that independent claims 1, 11, and 14 should be allowable over Takahashi because the cited reference does not teach or suggest all of the features of the claims.

VI. Rejections under 35 U.S.C. § 103(a)

With respect to independent claims 1 and analogous independent claim 11 and 14, the Examiner alleges that Ishikawa discloses all of the features of the claims except for the feature “a taper wall standing erect at the floor portion along a circumference which has a greater diameter than an outer diameter of the braking member and which is substantially coaxial with the reel hub”. The Examiner thus relies on Laverriere to cure this deficiency. Applicant respectfully submits that amended claims 1, 11, and 14 would not have been rendered obvious in view of the cited references.

In the present case, the Examiner has not provided any supportable objective reasoning why one of ordinary skill in the art would have been motivated to modify Ishikawa in view of Laverriere. The Examiner contends that it would be obvious to apply the projecting means 70 of Laverriere to the cartridge of Ishikawa in order to guide the braking member. This rationale is flawed for several reasons.

Claim 1 describes a taper wall which stands erect at the floor portion along a circumference which has a diameter that is greater than an outer diameter of the braking member, and guides the braking member to a gear meshing position. Ishikawa does not have an apparent need for a taper wall to guide the braking member, since the braking member (reel locking member) 4 is guided by a sliding portion 62 (column 8, lines 49-57). This undermines the Examiner’s basis for the combination.

Moreover, the Examiner does not address how one of ordinary skill in the art would have been able to modify Ishikawa in view of Laverriere since the cited references use diverse brake guiding units.

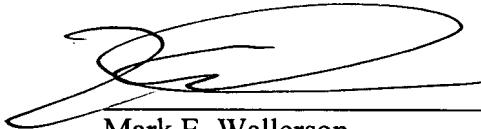
Further, there is no teaching or suggestion in the cited references of the feature “the taper wall is provided unitarily with the plurality of projections at an inner peripheral surface side of the reel hub, and is radially aligned with the gear teeth, wherein the taper wall is continuously inclined from an end of the gear teeth to the peripheral surface side of the reel hub”, as recited in amended claim 1 and analogously recited in independent claims 11 and 14.

Accordingly, Applicant respectfully submits that independent claims 1, 11, and 14 should be allowable because the cited references, alone or in combination, do not teach or suggest all of the features of the claims. Claims 2-6, 8, 12, 13, 15, and 16 should also be allowable at least by virtue of their dependency on independent claims 1, 11, and 14.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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